

**BIBIYAN LAW GROUP, P.C.**  
David D. Bibiyan (SBN 287811)  
*david@tomorrowlaw.com*  
Jeffrey D. Klein (Cal. Bar No. 297296)  
*jeff@tomorrowlaw.com*  
Sarah H. Cohen (SBN 330700)  
*sarah@tomorrowlaw.com*  
8484 Wilshire Boulevard, Suite 500  
Beverly Hills, California 90211  
Tel: (310) 438-5555; Fax: (310) 300-1705

Attorneys for Plaintiff, MACKENZIE ANNE THOMA,  
and on behalf of herself and all others similarly situated

**UNITED STATES DISTRICT COURT**  
**CENTRAL DISTRICT OF CALIFORNIA**

MACKENZIE ANNE THOMA, a.k.a.  
KENZIE ANNE, an individual and on  
behalf of all others similarly situated,

Plaintiff,

v.

VXN GROUP LLC, a Delaware limited  
liability company; STRIKE 3  
HOLDINGS, LLC, a Delaware limited  
liability company; GENERAL MEDIA  
SYSTEMS, LLC, a Delaware limited  
liability company; MIKE MILLER, an  
individual; and DOES 1 through 100,  
inclusive,

Defendants.

CASE NO.: 2:23-cv-04901-WLH  
(AGRx)

*[Assigned to the Hon. Wesley L. Hsu]*

**DECLARATION OF SARAH  
COHEN IN SUPPORT OF  
PLAINTIFF'S MOTION FOR  
ORDER REMANDING ACTION TO  
STATE COURT**

DATE: August 18, 2023  
TIME: 1:00 p.m.  
COURTRM: 9B

State Action Filed: April 20, 2023  
Removal Date: June 21, 2023

*(Los Angeles County Superior Court,  
Case No.: 23STCV08761)*

*[Notice of Motion and Motion for  
Remand; Evidentiary Objections; and  
[Proposed] Order Filed Concurrently  
Herewith]*

Trial Date: None Set

**DECLARATION OF SARAH H. COHEN**

I, Sarah H. Cohen, declare as follows:

1. I am an attorney at law, duly licensed to practice before all the Courts of the State of California, as well as the United States District Courts of the Central District of California. I am an associate of Bibiyan Law Group, P.C., counsel of record for Plaintiff, MACKENZIE ANNE THOMA ("Plaintiff"). As such, I am familiar with the file in this matter and if called as a witness I could and would competently testify to the following facts of my own personal knowledge.

2. I make this Declaration in support of Plaintiff's Notice of Motion and Motion for an Order Remanding this Action to State Court (the "Motion").

3. I am informed and believe that on or around June 21, 2023, Defendants VXN GROUP LLC; STRIKE 3 HOLDINGS, LLC; GENERAL MEDIA SYSTEMS, LLC; and MIKE MILLER (together, "Defendants"), filed a Notice of Removal in the instant action.

4. On June 27, 2023, I met and conferred with counsel for Defendants, Brad S. Kane of Kane Law Firm, regarding the substance of this Motion. Despite the meet-and-confer efforts, the parties could not come to a resolution without motion practice.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 21, 2023 at Beverly Hills, California.

/s/ Sarah H. Cohen  
Sarah H. Cohen

**CERTIFICATE OF SERVICE**

MACKENZIE ANNE THOMA, a.k.a. KENZIE ANNE, v. VXN GROUP LLC  
2:23-cv-04901-WLH (AGR<sub>x</sub>)  
**STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen years and not a party to the within action; my business address is 8484 Wilshire Blvd., Suite 500, Beverly Hills, California 90211.

I certify that on July 21, 2023, I electronically filed the following document(s) described as **DECLARATION OF SARAH COHEN IN SUPPORT OF PLAINTIFF'S MOTION FOR ORDER REMANDING ACTION TO STATE COURT**, and that they are available for viewing and downloading from the Court's CM/ECF system, and that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system. Further, I certify that the foregoing documents were served by electronic transmission to the below referenced electronic e-mail address as follows:

**KANE LAW FIRM**

Brad S. Kane. Esq.  
bkane@kanelaw.la  
1154 S. Crescent Heights. Blvd.  
Los Angeles, CA 90035  
Tel: (323) 697-9840  
Fax: (323) 571-3579

Attorneys for Defendants  
VXN GROUP LLC; STRIKE 3  
HOLDINGS, LLC; GENERAL MEDIA  
SYSTEMS, LLC; and MIKE MILLER

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on July 21, 2023, at Beverly Hills, California.

/s/ Bryant Gamez

Bryant Gamez